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TO RUEHC/SECSTATE WASHDC PRIORITY 7172
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 0894
RUEHNE/AMEMBASSY NEW DELHI 4454
RUEHUL/AMEMBASSY SEOUL 7985
RUEHKO/AMEMBASSY TOKYO 5546
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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000109

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STATE FOR EAP/MLS, IO, INR/EAP, S/ES-O
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SUBJECT: REGIME PROMISES MAY REFERENDUM, ELECTIONS BY 2010

REF: A) RANGOON 73 B) RANGOON 100 C) RANGOON 98

Classified By: Economic Officer Samantha A. Carl-Yoder for Reasons 1.4
(b) & (d)

11. (C) Summary. The GOB on February 9 announced next steps in its roadmap for democracy: it will finish drafting the constitution by April and will hold a referendum on the draft in May 2008; multi-party democratic elections will then occur in 2010. The drafting process did not incorporate views held by opposition parties or ethnic groups, nor does the GOB's timeframe allow for adequate discussion on the pros and cons of the proposed constitution. Several groups, including the NLD and the Arakan League for Democracy, privately told us their objections to the GOB process, but have yet to speak out publicly. We have not yet confirmed news reports of the 88 Generation of Students' condemnation of the GOB's announcement. The GOB remains committed to its flawed roadmap, and will do what it can to swiftly advance the process. Suggested press guidance is included in para 7. End Summary.

GOB Announces Next Steps

12. (SBU) On February 9, the Burmese Government released two official announcements detailing the next steps in the roadmap to democracy. According to Announcement 01/2008, the GOB-appointed Commission for the Drafting of the State Constitution will finish writing the document by April, allowing the GOB to advance to the fourth step of the seven-step roadmap: a national referendum to approve the constitution in May 2008. Additionally, Announcement 02/2008 promised multi-party democratic elections in 2010.

Opposition and Ethnic Groups Respond

13. (C) NLD Spokesperson U Nyan Win commented that with these announcements, the GOB was getting ahead of itself, promising to hold democratic elections in 2010 before it even knew the results of the referendum. He opined that the GOB would

manipulate the referendum to obtain approval for the constitution. The GOB may have to revise the 1989 elections law to reflect the current situation and allow dissolved parties to participate, he noted. Despite recent news reports, we have not yet confirmed whether the 88 Generation Students released a public statement on February 10 condemning the GOB's progress toward democracy and criticizing the draft constitution as not representing the people.

¶4. (C) Aye Thar Aung, Joint Secretary of the Arakan League for Democracy, told us that the Arakan League for Democracy would oppose the constitution because of the heavy military influence in drafting the document and because it would be too difficult to amend in the future. Other ethnic groups, such as the New Mon State Party, Karen National Union, Karreni National Progressive Party, and the Kachin Independence Organization, have previously told us of their objections to the "one-sided" constitution because their views were not included in the final document. Aye Thar Aung noted that the GOB has already started to recruit support for the draft constitution in Rakhine State and possibly in Rangoon. He questioned whether ethnic parties, which were dissolved after the 1990 elections, would be able to participate in the 2010 elections. The Government, he concluded, would face hardship in the future if they continued with its roadmap because it has yet to address two fundamental issues: the continuing deterioration of the economy and the lack of reconciliation between the GOB and the opposition and ethnic political groups.

¶5. (C) Several local reporters had varying views of the

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GOB's announcement, with some predicting the public would vote overwhelmingly to support the roadmap. Other journalists noted that the recent statements by Aung San Suu Kyi and other opposition movements may cause the Burmese people to think twice about supporting the referendum (Refs A and B). However, they opined that if the people voted down the referendum, the GOB could use it to its advantage as an indication that the Burmese do not want a transition to democracy.

What This Means

¶6. (C) This is the first time the GOB has provided an actual timeframe for its roadmap to democracy. However, without additional specifics as to how the process will proceed, we cannot consider this announcement to be a significant advance. If the GOB finalizes the constitution in April, holding a referendum in May leaves little time (a few weeks at most) for debate and discussion about the proposed constitution. Previously, sources connected to the regime indicated that the regime would conclude drafting the constitution by April, with a referendum to follow after the rainy season in late 2008. During the February 9 press conference, Minister of Information Kyaw Sann refused to answer questions about the referendum process, and many Embassy contacts question how free and fair the process will be. We note that arrests continue of peaceful pro-democracy supporters. The few that have been released were required to sign pledges against criticizing the roadmap. We believe the timing of the announcements to be an effort by the regime to claim progress implementing its roadmap and present its proposed constitution to the international community as a fait accompli.

Draft Press Guidance

¶7. (SBU) Key points for Press Guidance:

--We are skeptical that the Burmese regime's announcements of a constitutional referendum in May 2008 and multi-party

democratic elections in 2010 should be considered a significant advance.

--Despite appeals by Aung San Suu Kyi, ethnic leaders, and the international community, the regime has taken no steps to make the drafting process more inclusive. Instead, it relied on a hand-picked committee primarily made up of senior regime officials.

--In order for the Burmese people to make an informed choice about the new constitution, there would need to be a free and fair debate of the pros and cons. Instead, the regime continues to arrest peaceful dissenters and has made it a crime to criticize the regime's roadmap.

--The regime has offered no indication of how the referendum would proceed. As basic minimums, we would expect to see political prisoners released and allowed to participate in a free and fair public debate over the merits of the draft constitution. This would have to be followed by a secret ballot that meets international standards.

End Suggested Press Guidance.
VILLAROSA